

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**Eric Travers, Michael Boudreau, Joseph
Colella, Clifford Arpino, Michael
Marini, and Rocco Marini**

Plaintiffs,

v.

**City of Newton, Massachusetts, and
David B. Cohen, In His Capacity as
Mayor of the City of Newton,
Massachusetts**

Defendants.

Civil Action No.

04-12635 RWZ

**ASSENTED-TO MOTION TO ENLARGE TIME IN WHICH TO ANSWER,
MOVE OR OTHERWISE PLEAD**

Defendants, City of Newton and David B. Cohen, In his capacity as Mayor of the City of Newton, Massachusetts (“Defendants”) respectfully request that this Court extend the time for filing a responsive pleading in the above-referenced matter until February 15, 2005. Counsel for Defendants conferred with counsel for the Plaintiffs, who assents to this motion.

WHEREFORE, for the foregoing reasons, Defendants respectfully requests the Court to grant their motion to extend time to February 15, 2005.

Date: January 14, 2005

Respectfully Submitted,

CITY OF NEWTON and DAVID B. COHEN

By their Attorneys,

/s/ Keith H. McCown

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Certificate of Service

I hereby certify that a copy of the foregoing Assented to Motion to Enlarge Time in Which To Answer, Move or Otherwise Plead was served upon Harold B. Lichten, Esq., Pyle, Rome, Lichten, Ehrenberg, & Liss-Riordan, P.C., 18 Tremont Street, Suite 500 Boston, MA 02111 and to Donnalyn B. Lynch Kahn, Esq., City of Newton, 1000 Commonwealth Ave., Newton Centre, MA 02459 by facsimile and first-class mail this 14th day of January 2005.

/s/ Keith McCown

Keith McCown